

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

DORSEY J. REIRDON,

Plaintiff,

v.

XTO ENERGY INC.,

Defendant.

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Case No. 6:16-cv-00087-KEW

**UNOPPOSED MOTION FOR ORDER AUTHORIZING
PAYMENT OF ADMINISTRATION, NOTICE, AND DISTRIBUTION COSTS**

Pursuant to the parties' Stipulation and Agreement of Settlement (the "Settlement Agreement"),¹ Plaintiff Dorsey Reirdon ("Plaintiff") moves the Court for an order approving the distribution of Administration, Notice, and Distribution Costs in the amount of \$18,039.48 to JND Class Action Administration ("JND") for professional services rendered in this case.

Pursuant to the Settlement Agreement, Administration, Notice, and Distribution Costs includes costs incurred by Plaintiff's Counsel and/or Plaintiff "associated with experts, consultants or other personnel retained for purposes of administration, distribution, and notification." Settlement Agreement at ¶1.1.

Further, the parties agreed to ask the Court to appoint a Settlement Administrator to administer the settlement. *Id.* at ¶1.39. On October 17, 2017, the Court appointed JND as Settlement Administrator in its Order Granting Preliminary Approval of Class Action Settlement.

¹ The Settlement Agreement was filed as Exhibit 1 to Plaintiff's Memorandum of Law in Support of Motion to Certify and Preliminarily Approve Class Action Settlement. *See* Dkt 76-1.

See Dkt. No. 79 at ¶10 (“Preliminary Approval Order”). In accordance with the Settlement Agreement, JND has acted as the Settlement Administrator in this case and performed various services related to the Administration, Notice, and Distribution of the Settlement.

JND has invoiced Plaintiff for services rendered in connection with allocating and distributing the Net Settlement Fund to Class Members in the following amounts and for the following time periods:

- \$5,901.17 for June 1, 2019 – August 31, 2019. *See* Exhibit 1 hereto.
- \$5,114.22 for September 1, 2019 – November 30, 2019. *Id.*
- \$7,024.09 for December 1, 2019 – May 31, 2020. *Id.*

Accordingly, Plaintiff respectfully requests the Court authorize payment from the Administration, Notice, and Distribution Costs for which Defendant bears the costs up to \$750,000.00² (which, pursuant to the terms of the Escrow Agreement, is the account number ending with 0200 and entitled XTO_Reirdon Admin Account), in the amount of \$18,039.48, the total of the invoices attached as Exhibit 1.

A proposed Order is being submitted concurrently herewith.

DATED: August 10, 2022.

Respectfully submitted,

/s/ Bradley E. Beckworth

Bradley E. Beckworth, OBA No. 19982

Jeffrey Angelovich, OBA No. 19981

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² To date, the parties have requested, and the Court has approved, \$319,297.49 in Administration, Notice, and Distribution Costs. *See* Dkt. Nos. 128, 135, 145, 147 and 153. As such, the Admin Account has a balance of \$430,702.51, which is more than sufficient to cover the costs requested by this Motion.

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

I hereby certify that on July 28, 2022, the parties met and conferred, through counsel, regarding Unopposed Motion for Order Authorizing Payment of Administration, Notice, and Distribution Costs. Defendant's counsel informed Plaintiff's counsel that Defendant does not oppose the relief requested by the Motion.

DATED: August 10, 2022.

/s/ Susan Whatley
Susan Whatley

CERTIFICATE OF SERVICE

I hereby certify that I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system, which will send email notification of such filing to all registered parties.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

DATED: August 10, 2022.

/s/ Bradley E. Beckworth
Bradley E. Beckworth